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21 Attorneys for Defendants
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23 FINANCE CORPORATION (erroneously sued as SLM
24 EDUCATION FINANCE CORPORATION), SLM FINANCIAL
25 CORPORATION and SALLIE MAE, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID R. PEREZ,

Plaintiff,

v.

ALLIED INTERSTATE, LLC, SLM
EDUCATION FINANCE CORPORATION,
SLM FINANCIAL CORPORATION;
SALLIE MAE, INC. AND DOES 1-10,
INCLUSIVE,

Defendants.

Case No. CV 12-03763 HRL

**JOINT MOTION AND STIPULATION FOR
RELIEF FROM CASE MANAGEMENT
SCHEDULE AND [PROPOSED] ORDER**

Complaint Filed: May 9, 2012

STIPULATION

Plaintiff David R. Perez (“Plaintiff”) and his attorneys of record, The Katharine & George Alexander Community Law Center, by Scott Maurer, attorney at law and Defendants Allied Interstate LLC, SLM Education Credit Finance Corporation (erroneously sued as SLM Education Finance Corporation), SLM Financial Corporation, and Sallie Mae, Inc. (collectively “Defendants”), by their attorneys of record, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., by Jill V. Cartwright, attorney at law, hereby stipulate to the following and respectfully move the Court for an order changing the initial case management conference and ADR deadlines as follows:

1. **WHEREAS**, Plaintiff filed his Complaint on May 9, 2012 in the Santa Clara Superior Court; and

2. **WHEREAS**, on July 18, 2012, prior to its deadline to respond to the Complaint, Defendant Allied Interstate LLC removed the action to the Northern District of California, San Jose Division, with all Defendants consenting to the removal; and

3. WHEREAS, on July 18, 2012, the Court issued an Order Setting Initial Case Management Conference and ADR Deadlines; and

4. **WHEREAS**, on July 26, 2012, the Court signed the parties' Joint Stipulation to Extend Deadline for Defendants' Response to Plaintiff's Complaint, giving Defendants until September 14, 2012 to file a responsive pleading in this matter; and

5. **WHEREAS**, the current case management deadlines require the parties to conduct their initial conference regarding initial disclosures, early settlement, ADR process selection, and discovery plan before Defendants file their responsive pleading in this matter; and

6. **WHEREAS**, the parties met and conferred regarding the proposed continuance of the initial case management conference; and

7. WHEREAS, pursuant to Local Rule 16-2(d)-(e) and Local Rule 7, the parties hereby submit this stipulation for relief from the case management schedule.

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1 **NOW, THEREFORE**, the Parties, through their respective counsel of record **AGREE**
 2 **AND HEREBY STIPULATE** to the following changes in the initial case management deadlines:
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4 Deadline	5 Original Date	6 New Date
7 Last day to: 8 <ul style="list-style-type: none"> 9 • meet and confer re: 10 initial disclosures, early 11 settlement, ADR 12 process selection, and 13 discovery plan 14 • File ADR Certification 15 signed by Parties and 16 Counsel 17 • File either Stipulation 18 to ADR Process or 19 Notice of Need for 20 ADR Phone 21 Conference 	22 September 4, 2012	23 October 16, 2012
24 Last day to file Rule 26(f) 25 Report, complete initial 26 disclosures or state objection 27 on Rule 26(f) Report and file 28 Case Management Statement per the Court's Standing Order re: Contents of Joint Case Management Statement	29 September 18, 2012	30 October 30, 2012
31 Initial Case Management 32 Conference in Courtroom 2, 33 5th Floor SJ at 1:30 pm	34 September 25, 2012	35 November 6, 2012

36 DATED: August 30, 2012

37 KATHARINE & GEORGE ALEXANDER
38 COMMUNITY LAW CENTER

39 By: /s/ Scott Maurer
40 Scott Maurer

41 Attorney for Plaintiff
42 DAVID R. PEREZ

1 DATED: August 30, 2012
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OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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5 By: /s/ Jill V. Cartwright
Erica K. Rocush
Jill V. Cartwright
6

7 Attorneys for Defendants
8 ALLIED INTERSTATE LLC, SLM
EDUCATION CREDIT FINANCE
9 CORPORATION (erroneously sued as SLM
EDUCATION FINANCE CORPORATION),
SLM FINANCIAL CORPORATION and
SALLIE MAE, INC.
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ATTESTATION PER GENERAL ORDER NO. 45 SECTION X.B.

11 I hereby attest that I have obtained concurrence in the filing of this document from each of
12 the signatories listed above.
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DATED: August 30, 2012
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OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.
15

16 By: /s/ Jill V. Cartwright
Erica K. Rocush
Jill V. Cartwright
17

18 Attorneys for Defendants
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20 ALLIED INTERSTATE LLC, SLM
EDUCATION CREDIT FINANCE
21 CORPORATION (ERRONEOUSLY SUED AS
SLM EDUCATION FINANCE
CORPORATION), SLM FINANCIAL
22 CORPORATION AND SALLIE MAE, INC.
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[PROPOSED] ORDER

Pursuant to the Joint Stipulation for Relief from Case Management Schedule it is hereby ordered that the Case Management deadlines are modified as follows:

Deadline	Original Date	New Date
<p>Last day to:</p> <ul style="list-style-type: none"> • Meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan • File ADR Certification signed by Parties and Counsel • File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	September 4, 2012	October 16, 2012
<p>Last day to file Rule 26(f) Report, complete initial disclosures or state objection on Rule 26(f) Report and file Case Management Statement per the Court's Standing Order re Contents of Joint Case Management Statement</p>	September 18, 2012	October 30, 2012
<p>Initial Case Management Conference in Courtroom 2, 5th Floor SJ at 1:30 pm</p>	September 25, 2012	November 6, 2012

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: December 28, 2012

Lucy H. Koh
Hon. ~~Howard R. Lloyd~~ Lucy H. Koh
Magistrate Judge of the United States District Court
Court